

REMARKS

Claims 1-17 are pending in this application. Claims 1, 5, 7, 8, 9 and 17 are independent claims. By this amendment, claims 1-11, 15 and 17 are amended for clarity.

Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action rejects: (1) claims 1-3, 5-14 and 17 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,154,210 to Anderson (hereafter Anderson); and (2) claims 4, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Anderson in view of U.S. Patent Application Publication No. 2002/0082080 A1 to Kojima (hereafter Kojima).

These rejections are respectfully traversed.

Applicants respectfully submit that Anderson, either alone or in combination with Kojima, fails to teach or suggest each and every feature as set forth in the claimed invention.

For example, in the present invention a camera displays a function corresponding to a physical cross key 118 provided on the camera according to a mode selected by a user. In this case, the function assigned to the cross key is displayed in the display 120, the display being arranged to be wedged in the crossing of the cross key button 118. As such, in the present invention the user

has only to operate the cross key 118 to execute some functions when using the camera.

In contrast with the present invention, Anderson merely discloses a touch-screen equipped camera having none of the hardware components as set forth in the claimed invention. In other words, Anderson merely displays a camera with some input areas as graphical icons along with their respective functions on a touch screen, e.g., four input areas ts411a, ts411b, ts410a, and ts410b. (see Anderson, col. 6, line 22 and Figs. 2A and 2B). In Anderson, a touch-screen LCD 502 is used for accepting input from the user, instead of a cross key.

Anderson uses a touch-screen equipped digital imaging device for inputting information as opposed to a button interface. (see Anderson, col. 5, line 64 to col. 3, line 5). As such, if the user in Anderson wants to change the mode, he/she has to search through the graphical icons on the touch screen 502. On the other hand, in the present invention, the user has only to operate the cross key 118 that fits in his hand.

In addition, in the present invention a display is arranged to be wedged in the crossing part of the cross key. In contrast with the present invention, Anderson merely discloses a touch-screen LCD with touch input areas thereon. No cross key configuration with a display wedged in the crossing part thereof is disclosed in Anderson. In fact, Anderson is directed towards a system that has none of the hardware components, i.e., cross key, to run button aware applications. (see Anderson, col. 5, lines 57-63).

According to MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ...claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989). The elements must be arranged as required by the claims, but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Applicants respectfully submit that the Office Action has failed to establish the required *prima facie* case of anticipation because the cited reference, Anderson, fails to teach or suggest each and every feature as set forth in the claimed invention.

Applicants respectfully submit that independent claims 1, 5, 7, 8, 9 and 17 are allowable over Anderson for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-3, 5-14 and 17 under 35 U.S.C. §102(e) is respectfully solicited.

Applicants also respectfully submit that Kojima fails to make up for the deficiencies found in Anderson.

Like Anderson, Kojima also fails to teach or suggest a cross key physically disposed on the equipment with a display arranged to be wedged in the crossing part of the cross key.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicants respectfully submit that the combination of Anderson and Kojima fail to teach or suggest each and every feature as set forth in the claimed invention.

Applicants respectfully submit that not only does the references fail to teach or suggest each and every feature as set forth in the claimed invention, but that one of ordinary skill in the art would not have been motivated to combine/modify the

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teachings of Anderson with Kojima because there is no teaching or suggestion in any of the references regarding how or why one would modify such systems to arrive at the claimed invention.

Applicants respectfully submit that dependent claims 4, 15 and 16 are allowable over the combination of Anderson and Kojima for at least the reasons noted above.

Accordingly, withdrawal of the rejection of claims 4, 15 and 16 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

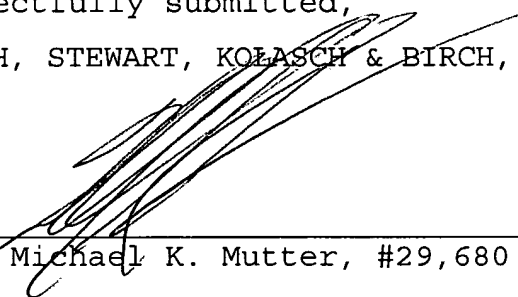
Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a Personal Interview.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Respectfully submitted,
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By


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